

By Order of Congress.

A D D R E S S E S

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R E C O M M E N D A T I O N S

T O T H E

S T A T E S,

B Y T H E

U N I T E D S T A T E S

I N C O N G R E S S A S S E M B L E D.

PHILADELPHIA:

Printed by DAVID C. CLAYPOOLE,

LONDON REPRINTED,

For J. STOCKDALE, in Piccadilly,

MDCCLXXXIII.

By Order of Congress

AND D R E S S E S

RECOMMENDATIONS

STATE

UNITED STATES

IN CONGRESS ASSEMBLED

PHILADELPHIA
Printed by David G. Brinton
London: Printed by
T. J. Stockdale, in the Strand
1828

A N

ADDRESS, &c.

THE prospect which has for some time existed, and which is now happily realized, of a successful termination of the war, together with the critical exigencies of public affairs, have made it the duty of Congress to review and provide for the debts which the war has left upon the United States, and to look forward to the means of obviating dangers which may interrupt the harmony and tranquility of the confederacy. The result of their mature and solemn deliberations on these great objects is contained in their several recommendations of the 18th instant, herewith transmitted. Although these recommendations speak themselves the principles on

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which

By Order of Congress

A B D N E S S E

RECOMMENDING

TO THE

S T A T E S



UNITED STATES

IN CONGRESS ASSEMBLED

PHILADELPHIA:
Printed by David C. Claypoole,
London and Bristol:
For J. Stockdale, in Pall Mall.
1800.

A N

ADDRESS, &c.

THE prospect which has for some time existed, and which is now happily realized, of a successful termination of the war, together with the critical exigencies of public affairs, have made it the duty of Congress to review and provide for the debts which the war has left upon the United States, and to look forward to the means of obviating dangers which may interrupt the harmony and tranquility of the confederacy. The result of their mature and solemn deliberations on these great objects is contained in their several recommendations of the 18th instant, herewith transmitted. Although these recommendations speak themselves the principles on

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which

which they are founded, as well as the ends which they propose, it will not be improper to enter into a few explanations and remarks, in order to place in a stronger view the necessity of complying with them.

THE first measure recommended is, effectual provision for the debts of the United States. The amount of these debts, as far as they can now be ascertained, is, 42,000,375 dollars, as will appear by the schedule No. I. To discharge the principal of this aggregate debt at once, or in any short period, is evidently not within the compass of our resources; and even if it could be accomplished, the ease of the community would require, that the debt itself should be left to a course of gradual extinguishment, and certain funds be provided for paying in the mean time the annual interest. The amount of the annual interest, as will appear by the paper last referred to, is computed to be 2,415,956 dollars. Funds, therefore, which will certainly

tainly and punctually produce this annual sum at least, must be provided.

IN devising these funds, Congress did not overlook the mode of supplying the common treasury, provided by the articles of confederation ; but after the most respectful consideration of that mode, they were constrained to regard it as inadequate and inapplicable to the form into which the public debt must be thrown. The delays and uncertainties incident to a revenue to be established and collected from time to time by thirteen independent authorities, is at first view irreconcilable with the punctuality essential in the discharge of the interest of a national debt. Our own experience, after making every allowance for transient impediments, has been a sufficient illustration of this truth. Some departure, therefore, in the recommendations of Congress, from the federal constitution, was unavoidable ; but it will be found to be as small as

could be reconciled with the object in view, and to be supported besides by solid considerations of interest and sound policy.

THE fund which first presented itself on this, as it did on a former occasion, was a tax on imports. The reasons which recommended this branch of revenue, have heretofore been stated in an act, of which a copy, No. II. is now forwarded, and need not be here repeated. It will suffice to recapitulate, that taxes on consumption are always least burdensome, because they are least felt, and are borne too by those who are both willing and able to pay them: that of all taxes on consumption, those on foreign commerce are most compatible with the genius and policy of free states: that from the relative positions of some of the more commercial states, it will be impossible to bring this essential resource into use without a concerted uniformity: that this uniformity cannot be concerted through any channel so properly as through Congress, nor
for

for any purpose so aptly as for paying the debts of a revolution, from which an unbounded freedom has accrued to commerce.

IN renewing this proposition to the states, we have not been unmindful of the objections which heretofore frustrated the unanimous adoption of it. We have limited the duration of the revenue to the term of twenty-five years ; and we have left to the states themselves the appointment of the officers who are to collect it. If the strict maxims of national credit alone were to be consulted, the revenue ought manifestly to be coexistent with the object of it, and the collection placed in every respect under that authority which is to dispense the former, and is responsible for the latter. These relaxations will, we trust, be regarded on one hand as the effect of a disposition in Congress to attend at all times to the sentiments of those whom they serve, and on the other hand, as a proof of their anxious desire that provision may be made in some way

way or other for an honourable and just fulfilment of the engagements which they have formed.

To render this fund as productive as possible, and at the same time to narrow the room for collusions and frauds, it has been judged an improvement of the plan, to recommend a liberal duty on such articles as are most susceptible of a tax according to their quantity, and are of most equal and general consumption; leaving all other articles, as heretofore proposed, to be taxed according to their value.

THE amount of this fund is computed to be 915,956 dollars. The estimates on which the computation is made, are detailed in paper No. III. Accuracy in the first essay on so complex and fluctuating a subject is not to be expected. It is presumed to be as near the truth as the defect of proper materials would admit.

THE

THE residue of the computed interest is 1,500,000 dollars, and is referred to the states to be provided for by such funds as they may judge most convenient. Here again the strict maxims of public credit gave way to the desire of Congress to conform to the sentiments of their constituents. It ought not to be omitted, however, with respect to this portion of the revenue, that the mode in which it is to be supplied, varies so little from that pointed out in the articles of confederation, and the variations are so conducive to the great object proposed, that a ready and unqualified compliance on the part of the states may be the more justly expected. In fixing the quotas of this sum, Congress, as may be well imagined, were guided by very imperfect lights, and some inequalities may consequently have ensued. These, however, can be but temporary; and, as far as they may exist at all, will be redressed by a retrospective adjustment, as soon as a constitutional rule can be applied.

THE necessity of making the two foregoing provisions one indivisible and irrevocable act, is apparent. Without the first quality, partial provision only might be made where complete provision is essential; nay, as some states might prefer and adopt one of the funds only, and the other states the other fund only, it might happen that no provision at all would be made: without the second, a single state out of the Thirteen might at any time involve the nation in bankruptcy; the mere practicability of which would be a fatal bar to the establishment of national credit. Instead of enlarging on these topics, two observations are submitted to the justice and wisdom of the legislatures. First: The present creditors, or rather the domestic part of them, having either made their loans for a period which has expired, or having become creditors in the first instance involuntarily, are intitled, on the clear principles of justice and good faith, to demand the principal of their credits, instead of accepting the annual interest. It

is necessary, therefore, as the principal cannot be paid to them on demand, that the interest should be so effectually and satisfactorily secured, as to enable them, if they incline, to transfer their stock at its full value. Secondly: If the funds be so firmly constituted as to inspire a thorough and universal confidence, may it not be hoped, that the capital of the domestic debt, which bears the high interest of six per cent. may be cancelled by other loans obtained at a more moderate interest? The saving by such an operation would be a clear one, and might be a considerable one. As a proof of the necessity of substantial funds for a support of our credit abroad, we refer to No. IV.

THUS much for the interest of the national debt: For the discharge of the principal within the term limited, we rely on the natural increase of the revenue from commerce, on requisitions to be made from time to time for that purpose, as circumstances may dictate, and on the prospect of

vacant territory. If these resources should prove inadequate, it will be necessary, at the expiration of twenty-five years, to continue the funds now recommended, or to establish such others as may then be found more convenient.

WITH a view to the resource last mentioned, as well as to obviate disagreeable controversies and confusions, Congress have included, in their present recommendations, a renewal of those of the 6th day of September, and of the 10th day of October, 1780. In both those respects, a liberal and final accommodation of all interfering claims of vacant territory, is an object which cannot be pressed with too much solicitude.

THE last object recommended is a constitutional change of the rule, by which a partition of the common burdens is to be made. The expediency, and even necessity, of such a change has been sufficiently enforced by the local injustice and discontents which
have

have proceeded from valuations of the soil in every state where the experiment has been made. But how infinitely must these evils be increased, on a comparison of such valuations among the states themselves ! On whatever side indeed this rule be surveyed, the execution of it must be attended with the most serious difficulties. If the valuations be referred to the authorities of the several states, a general satisfaction is not to be hoped for: If they be executed by officers of the United States traversing the country for that purpose, besides the inequalities against which this mode would be no security, the expence would be both enormous and obnoxious. If the mode taken in the act of the 17th day of February last, which was deemed on the whole least objectionable, be adhered to, still the insufficiency of the data to the purpose to which they are to be applied, must greatly impair, if not utterly destroy, all confidence in the accuracy of the result ; not to mention that, as far as the result can be at all a just one, it will be in-

debted for the advantage to the principle on which the rule proposed to be substituted is founded. This rule, although not free from objections, is liable to fewer than any other that could be devised. The only material difficulty which attended it in the deliberations of Congress, was to fix the proper difference between the labour and industry of free inhabitants, and of all other inhabitants. The ratio ultimately agreed on was the effect of mutual concessions, and if it should be supposed not to correspond precisely with the fact, no doubt ought to be entertained that an equal spirit of accommodation among the several legislatures, will prevail against little inequalities which may be calculated on one side or on the other. But notwithstanding the confidence of Congress as to the success of this proposition, it is their duty to recollect that the event may possibly disappoint them, and to request that measures may still be pursued for obtaining and transmitting the informa-

information called for in the act of the 17th of February last, which in such event will be essential.

THE plan thus communicated and explained by Congress must now receive its fate from their constituents. All the objects comprised in it are conceived to be of great importance to the happiness of this confederated republic ; are necessary to render the fruits of the revolution, a full reward for the blood, the toils, the cares and the calamities which have purchased it. But the object of which the necessity will be peculiarly felt, and which it is peculiarly the duty of Congress to inculcate, is the provision recommended for the national debt. Although this debt is greater than could have been wished, it is still less on the whole than could have been expected : and when referred to the cause in which it has been incurred, and compared with the burdens which wars of ambition and of vain

vain glory have entailed on other nations, ought to be borne not only with cheerfulness but with pride. But the magnitude of the debt makes no part of the question. It is sufficient that the debt has been fairly contracted, and that justice and good faith demand that it should be fully discharged. Congress had no option but between different modes of discharging it. The same option is the only one that can exist with the states. The mode which has after long and elaborate discussion been preferred, is, we are persuaded, the least objectionable of any that would have been equal to the purpose. Under this persuasion, we call upon the justice and plighted faith of the several states to give it its proper effect, to reflect on the consequences of rejecting it, and to remember that Congress will not be answerable for them.

If other motives than that of justice could be requisite on this occasion, no nation
could

could ever feel stronger ; for to whom are the debts to be paid ?

TO AN ALLY, in the first place, who to the exertion of his arms in support of our cause, has added the succours of his treasure ; who, to his important loans, has added liberal donations ; and whose loans themselves carry the impression of his magnanimity and friendship. For more exact information on this point we refer to paper No. V.

To *individuals in a foreign country*, in the next place, who were the first to give so precious a token of their confidence in our justice, and of their friendship for our cause, and who are members of a republic which was second in espousing our rank among nations. For the claims and expectations of this class of creditors we refer to paper No. VI.

ANOTHER

ANOTHER class of creditors is, that *illustrious and patriotic band of fellow-citizens*, whose blood and whose bravery have defended the liberties of their country ; who have patiently borne, among other distresses, the privation of their stipends, whilst the distresses of their country disabled it from bestowing them ; and who, even now, ask for no more than such a portion of their dues as will enable them to retire from the field of victory and glory into the bosom of peace and private citizenship, and for such effectual security for the residue of their claims, as their country is now unquestionably able to provide. For a full view of their sentiments and wishes on this subject, we transmit the paper No. VII. ; and as a fresh and lively instance of their superiority to every species of seduction from the paths of virtue and of honour, we add the paper No. VIII.

THE remaining class of creditors is composed partly of such of our fellow-citizens as originally lent to the public the use of their funds, or have since manifested most confidence in their country, by receiving transfers from the lenders; and partly of those whose property has been either advanced or assumed for the public service. To discriminate the merits of these several descriptions of creditors, would be a task equally unnecessary and invidious. If the voice of humanity plead more loudly in favour of some than of others, the voice of policy, no less than of justice, pleads in favour of all. A wise nation will never permit those who relieve the wants of their country, or who rely most on its faith, its firmness and its resources, when either of them is distrusted, to suffer by the event.

LET it be remembered finally, that it has ever been the pride and boast of America, that the rights for which she contended,

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were

were the rights of human nature. By the blessing of the Author of these rights on the means exerted for their defence, they have prevailed against all opposition, and form the basis of Thirteen Independent States. No instance has heretofore occurred, nor can any instance be expected hereafter to occur, in which the unadulterated forms of republican government can pretend to so fair an opportunity of justifying themselves by their fruits. In this view the citizens of the United States are responsible for the greatest trust ever confided to a political society. If justice, good faith, honour, gratitude, and all the other qualities which ennoble the character of a nation, and fulfil the ends of government, be the fruits of our establishments, the cause of liberty will acquire a dignity and lustre which it has never yet enjoyed; and an example will be set which cannot but have the most favourable influence on the rights of mankind. If on the other side, our governments should be unfortunately

fortunately blotted with the reverse of these cardinal and essential virtues, the great cause which we have engaged to vindicate, will be dishonoured and betrayed: the last and fairest experiment in favour of the rights of human nature will be turned against them, and their patrons and friends exposed to be insulted and silenced by the votaries of tyranny and usurpation.

By order of the United States in Congress
assembled,

ELIAS BOUDINOT, President.

of human nature will be turned against them, and their persons and lives exposed to be injured and threatened by the violence of tyrants and tyrannies.

EMAS BOUNDNOT, President.

RECOMMENDATIONS

TO THE

SEVERAL STATES

BY THE

UNITED STATES

IN CONGRESS ASSEMBLED.

April 18, 1783.

RESOLVED *by Nine States,*

THAT it be recommended to the several states, as indispensibly necessary to the restoration of public credit, and to the punctual and honourable discharge of the public debts, to invest the United States in Congress assembled, with a power to levy for the use of the United States, the following duties upon goods imported into the said states from any foreign port, island or plantation.

Upon

Upon all rum of Jamaica proof,		
per gallon,	4-90ths	of a dollar.
Upon all other spirituous liquors,	3-90ths	do.
Upon Madeira wine	12-90ths	do.
Upon all other wines	6-90ths	do.
Upon common bohea tea per lb.	6-90ths	do.
Upon all other teas	24-90ths	do.
Upon pepper per pound	3-90ths	do.
Upon brown sugar per pound	$\frac{1}{2}$ -90th	do.
Upon loaf sugar	2-90ths	do.
Upon all other sugars	1-90th	do.
Upon molasses per gallon	1-90th	do.
Upon cocoa and coffee per lb.	1-90th	do.
Upon all other goods a duty of five per cent.		
ad valorem at the time and place of importation.		

PROVIDED that none of the said duties shall be applied to any other purpose than the discharge of the interest or principal of the debts contracted on the faith of the United States, for supporting the war, agreeably to the resolution of the 16th day of December last, nor be continued for a longer term than 25 years; and provided that the collectors of the said duties shall be appointed by

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the states within which their offices are to be respectively exercised ; but when so appointed, shall be amenable to and removable by the United States in Congress assembled, alone ; and in case any state shall not make such appointment within one month after notice given for that purpose, the appointment may be made by the United States in Congress assembled.

THAT it be further recommended to the several states to establish for a term limited to twenty-five years, and to appropriate to the discharge of the interest and principal of the debts contracted on the faith of the United States, for supporting the war, substantial and effectual revenues of such nature as they may judge most convenient, for supplying their respective proportions of one million five hundred thousand dollars annually, exclusive of the aforementioned duties, which proportion shall be fixed and equalized from time to time, according to the rule which is or may be prescribed by the articles of confederation ;

federation; and in case the revenues established by any state shall at any time yield a sum exceeding its actual proportion, the excess shall be refunded to it; and in case the revenues of any state shall be found to be deficient, the immediate deficiency shall be made up by such state with as little delay as possible, and a future deficiency guarded against by an enlargement of the revenues established: provided, that until the rule of the confederation can be carried into practice, the proportions of the said 1,500,000 dollars shall be as follows, viz.

New Hampshire	52,708	Delaware	22,443
Massachusetts	224,427	Maryland	141,517
Rhode-Island	32,318	Virginia	256,487
Connecticut	132,091	North-Carolina	109,006
New-York	128,243	South-Carolina	96,183
New-Jersey	83,358	Georgia	16,030
Pennsylvania	205,189		

THE said last mentioned revenues to be collected by persons appointed as aforesaid, but to be carried to the separate credit of the states within which they shall be collected.

THAT

THAT an annual account of the proceeds and application of all the aforementioned revenues shall be made out and transmitted to the several states, distinguishing the proceeds of each of the specified articles, and the amount of the whole revenue received from each state, together with the allowances made to the several officers employed in the collection of the said revenues.

THAT none of the preceding resolutions shall take effect until all of them shall be acceded to by every state; after which unanimous accession, however, they shall be considered as forming a mutual compact among all the states, and shall be irrevocable by any one or more of them without the concurrence of the whole, or of a majority of the United States in Congress assembled.

THAT as a further mean, as well of hastening the extinguishment of the debts, as of establishing the harmony of the United States, it be recommended to the states which have

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passed

passed no acts towards complying with the resolutions of Congress of the 6th of September and 10th of October, 1780, relative to the cession of territorial claims, to make the liberal cessions therein recommended; and to the states which may have passed acts complying with the said resolutions in part only, to revise and compleat such compliance.

THAT as a more convenient and certain rule of ascertaining the proportions to be supplied by the states respectively to the common treasury, the following alteration in the articles of confederation and perpetual union between these states, be and the same is hereby agreed to in Congress; and the several states are advised to authorise their respective Delegates to subscribe and ratify the same as part of the said instrument of union, in the words following, to wit,

So much of the 8th of the articles of confederation and perpetual union between the

Thirteen

Thirteen States of America, as is contained in the words following, to wit,

“ All charges of war and all other ex-
 “ pences that shall be incurred for the com-
 “ mon defence or general welfare, and al-
 “ lowed by the United States in Congress
 “ assembled, shall be defrayed out of a com-
 “ mon treasury, which shall be supplied by
 “ the several states in proportion to the value
 “ of all land within each state granted to or
 “ surveyed for any person, as such land, and
 “ the buildings and improvements thereon,
 “ shall be estimated according to such mode
 “ as the United States in Congress assembled
 “ shall from time to time direct and ap-
 “ point,” is hereby revoked and made void;
 and in place thereof it is declared and con-
 cluded, the same having been agreed to in a
 congress of the United States, that all
 charges of war and all other expences that
 have been or shall be incurred for the com-
 mon defence or general welfare, and allowed

by the United States in Congress assembled, except so far as shall be otherwise provided for, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the whole number of white and other free citizens and inhabitants, of every age, sex and condition, including those bound to servitude for a term of years, and three-fifths of all other persons not comprehended in the foregoing description, except Indians, not paying taxes, in each state; which number shall be triennially taken and transmitted to the United States in Congress assembled, in such mode as they shall direct and appoint.

*[The Papers referred to in the foregoing Address
are as follow.]*

An ESTIMATE of the NATIONAL DEBT ; V I Z.

	Livres.	Dollars,
Due to the Farmers-General of France,	1,000,000	
To Individuals in France, on un- liquidated accounts, estimated }	3,000,000	
To the Crown of France, includ- ing a Loan of 10,000,000 bor- rowed in Holland, and for which France is guarantee, }	28,000,000	
To Ditto, a Loan for 1783,	6,000,000	
	38,000,000	
at 5 livres-8 sous per dol.		7,037,037
To Lenders in Holland, received in part of the Loan contracted for by Mr. J. Adams, }		671,200
1,678,000 florins,		
Borrowed in Spain by Mr. Jay,		150,000
One Year's Interest of Dutch Loan of }		26,848
40,000,000 Livres,		
		7,885,085
Foreign Debt, 1st January, 1783,		

Domestic Debt.

On Loan-Office Certificates, reduced to Specie value, }	11,463,802	
Interest unpaid for 1781,	190,000	
Ditto 1782,	687,828	
Credit to Sundries in Treasury Books,	638,042	
Army Debt to 31st December, 1782,	5,635,618	
Unliquidated Debt, estimated at	8,000,000	
Commutation to the Army, agreeable to the Act of 22d March last, }	5,000,000	
Bounty due to Privates,	500,000	
Déficiencies in 1783, suppose	2,000,000	
	34,115,290	

Total Debt, 42,000,375

Annual Interest of the Debt of the United States.

On the Foreign Debt, part at 4 and part at 5 per cent.	369,038 6
On the Domestic Debt, at 6 per cent.	2,046,917 4
	2,415,956

(No. II.)

By the UNITED STATES in CONGRESS
assembled, December 16, 1782.

THE committee, consisting of Mr. Hamilton, Mr. Madison, and Mr. Fitzsimmons, to whom was referred the letter of 30th of November, from the honourable William Bradford, speaker of the lower house of assembly of the state of Rhode-Island, containing, under three heads, the reasons of that state for refusing their compliance with the recommendation of Congress for a duty on imports and prize-goods ; report,

“ That they flatter themselves the state, on a reconsideration of the objections they have offered, with a candid attention to the arguments which stand in opposition to them, will be induced to retract their dissent, convinced that the measure is supported on the most solid grounds of equal justice, policy, and general utility. The following observations, contrasted with each head of the objections, successively, will furnish a satisfactory answer to the whole.

First objection. “ That the proposed duty would be unequal in its operation, bearing hardest upon the most commercial states, and so would press peculiarly hard upon that state which draws its chief support from commerce.”

The most common experience, joined to the concurrent opinions of the ablest commercial and political observers, have established beyond controversy this general principle, “ that every duty on imports is incorporated with the price of the commodity, and ultimately paid by the consumer, with a profit on

on the duty itself, as a compensation to the merchant for the advance of his money."

The merchant considers the duty demanded by the state on the imported article, in the same light with freight or any similar charge, and adding it to the original cost, calculates his profit on the aggregate sum. It may happen, that at particular conjunctures, where the markets are overstocked, and there is a competition among the sellers, this may not be practicable; but in the general course of trade the demand for consumption preponderates, and the merchant can with ease indemnify himself, and even obtain a profit on the advance. As a consumer, he pays a share of the duty, but it is no further a burthen upon him. The consequence of the principle laid down is, that every class of the community bears its share of the duty in proportion to its consumption, which last is regulated by the comparative wealth of the respective classes, in conjunction with their habits of expence or frugality. The rich and luxurious pay in proportion to their riches and luxury; the poor and parsimonious, in proportion to their poverty and parsimony. A chief excellence of this mode of revenue is, that it preserves a just measure to the abilities of individuals, promotes frugality, and taxes extravagance. The same reasoning in our situation applies to the intercourse between two states; if one imports and the other does not, the latter must be supplied by the former. The duty being transferred to the price of the commodity, is no more a charge on the importing state for what is consumed in the other, than it is a charge on the merchant for what is consumed by the farmer or artificer. Either state will only feel the burthen in a ratio to its consumption, and this will be in a ratio to its population
and

and wealth: What happens between the different classes of the same community internally happens between the two states; and as the merchant, in the first case, so far from losing the duty himself, has a profit on the money he advances for that purpose; so the importing state, which in the second case is the merchant with respect to the other, is not only re-imburshed by the non-importing state, but has a like benefit on the duty advanced. It is therefore the reverse of a just position, that the duty proposed will bear hardest on the most commercial states; it will, if any thing, have a contrary effect, though not in a sufficient degree to justify an objection on the part of the non-importing states. For it is as reasonable they should allow an advance on the duty paid, as on the first cost, freight, or any incidental charge. They have also other advantages in the measure fully equivalent to this disadvantage. Over-nice and minute calculations, in matters of this nature, are inconsistent with national measures, and in the imperfect state of human affairs, would stagnate all the operations of government. Absolute equality is not to be attained: to aim at it, is pursuing a shadow at the expence of the substance, and in the event we should find ourselves wider of the mark, than if in the first instance we were content to approach it with moderation.

Second objection. "That the recommendation proposes to introduce into that and the other states, officers unknown and unaccountable to them, and so is against the constitution of the state."

It is not to be presumed that the constitution of any state could mean to define and fix the precise numbers and descriptions of all officers to be permitted in the state, excluding the creation of any new ones, whatever might be the necessity derived from

from that variety of circumstances incident to all political institutions. The legislature must always have a discretionary power of appointing officers not expressly known to the constitution, and this power will include that of authorising the federal government to make the appointments in cases where the general welfare may require it. The denial of this would prove too much; to wit, that the power given by the confederation to Congress, to appoint all officers in the post-office, was illegal and unconstitutional.

The doctrine advanced by Rhode-Island would perhaps prove also that the federal government ought to have the appointment of no internal officers whatever; a position that would defeat all the provisions of the confederation, and all the purposes of the union. The truth is, that no federal constitution can exist without powers that in their exercise affect the internal police of the component members. It is equally true, that no government can exist without a right to appoint officers for those purposes which proceed from, and concenter in itself; and therefore the confederation has expressly declared, that Congress shall have authority to appoint all such "civil officers as may be necessary for managing the general affairs of the United States under their direction." All that can be required is, that the federal government confine its appointments to such as it is empowered to make by the original act of union, or by the subsequent consent of the parties: unless there should be express words of exclusion in the constitution of a state, there can be no reason to doubt that it is within the compass of legislative discretion to communicate that authority.

The propriety of doing it upon the present occasion, is founded on substantial reasons.

The measure proposed is a measure of necessity. Repeated experiments have shewn, that the revenue to be raised within these states is altogether inadequate to the public wants. The deficiency can only be supplied by loans. Our applications to the foreign powers on whose friendship we depend, have had a success far short of our necessities. The next resource is to borrow from individuals. These will neither be actuated by generosity nor reasons of state. 'Tis to their interest alone we must appeal. To conciliate this, we must not only stipulate a proper compensation for what they lend, but we must give security for the performance. We must pledge an ascertained fund, simple and productive in its nature, general in its principle, and at the disposal of a single will. There can be little confidence in a security under the constant revival of thirteen different deliberatives. It must, once for all, be defined and established on the faith of the states solemnly pledged to each other, and not revocable by any without a breach of the general compact.

'Tis by such expedients that nations, whose resources are understood, whose reputations and governments are erected on the foundation of ages, are enabled to obtain a solid and extensive credit. Would it be reasonable in us to hope for more easy terms, who have so recently assumed our rank among the nations? Is it not to be expected, that individuals will be cautious in lending their money to a people in our circumstances, and that they will at least require the best security we can give?

We have an enemy vigilant, intriguing, well acquainted with our defects and embarrassments. We may expect that he will make every effort to instil diffi-

diffidences into individuals; and in the present posture of our internal affairs, he will have too plausible ground on which to tread. Our necessities have obliged us to embrace measures with respect to our public credit, calculated to inspire distrust. The prepossessions on this article must naturally be against us, and it is therefore indispensable we should endeavour to remove them, by such means as will be the most obvious and striking.

It was with these views Congress determined on a general fund; and the one they have recommended must, upon a thorough examination, appear to have fewer inconveniences than any other.

It has been remarked as an essential part of the plan, that the fund should depend on a single will. This will not be the case unless the collection, as well as the appropriation, is under the controul of the United States; for it is evident, that after the duty is agreed upon, it may in a great measure be defeated by an ineffectual mode of levying it. The United States have a common interest in an uniform and equally energetic collection; and not only policy but justice to all the parts of the union, designates the utility of lodging the power of making it where the interest is common. Without this it might in reality operate as a very *unequal tax*.

Third objection. "That by granting to Congress a power to collect monies from the commerce of these states indefinitely as to time and quantity, and for the expenditure of which they are not to be accountable to the states, they would become independent of their constituents, and so the proposed impost is repugnant to the liberty of the United States."

Admitting the principle of this objection to be true, still it ought to have no weight in the present

case, because there is no analogy between the principle and the fact.

First. The fund proposed is sufficiently definite as to time, because it is only co-extensive with the existence of the debt contracted and to be contracted in the course of the war. Congress are persuaded that it is as remote from the intention of their constituents to perpetuate that debt, as to extinguish it at once by a faithless neglect of providing the means to fulfil the public engagements. Their ability to discharge it in a moderate time can as little be doubted as their inclination; and the moment that debt ceases, the duty, so far as respects the present provision, ceases with it.

The resolution recommending the duty, specifies the object of it to be the discharge of the principal and interest of the debts already contracted, or which may be contracted on the faith of the United States for supporting the present war.

Secondly. The rate per cent. is fixed, and it is not at the option of the United States to encrease it. Though the product will vary according to the variations in trade; yet as there is this limitation of the rate, it cannot be properly said to be indefinite as to quantity.

By the confederation, Congress have an absolute discretion in determining the quantum of revenue requisite for the national expenditure. When this is done, nothing remains for the states, separately, but the mode of raising. No state can dispute the obligation to pay the sum demanded without a breach of the confederation; and when the money comes into the treasury, the appropriation is the exclusive province of the foederal government. This provision of the confederation (without which it would be an empty form) comprehends in it the principle
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in its fullest latitude, which the objection under consideration treats as repugnant to the liberty of the United States, to wit, an indefinite power of prescribing the quantity of money to be raised, and of appropriating it when raised.

If it be said that the states, individually, having the collection in their own hands, may refuse a compliance with exorbitant demands, the confederation will answer, that this is a point of which they have no constitutional liberty to judge. Such a refusal would be an exertion of power, not of right; and the same power which could disregard a requisition made on the authority of the confederation, might at any time arrest the collection of the duty.

The same kind of responsibility which exists with respect to the expenditure of the money furnished in the forms hitherto practised, would be equally applicable to the revenue from the imports.

The truth is, the security intended to the general liberty in the confederation, consists in the frequent election, and in the rotation of the members of Congress, by which there is a constant and an effectual check upon them. This is the security which the people in every state enjoy against the usurpations of their internal governments; and it is the true source of security in a representative republic. The government, so constituted, ought to have the means necessary to answer the end of its institution. By weakening its hands too much, it may be rendered incapable of providing for the interior harmony or the exterior defence of the State.

The measure in question, if not within the letter, is within the spirit of the confederation. Congress, by that, are empowered to borrow money for the use of the United States, and, by implication, to concert the means necessary to accomplish the end.

But

But without insisting upon this argument, if the confederation has not made proper provision for the exigencies of the states, it will be at all times the duty of Congress to suggest further provisions; and when their proposals are submitted to the unanimous consent of the states, they can never be charged with exceeding the bounds of their trust. Such a consent is the basis and sanction of the confederation, which expressly, in the 13th article, empowers Congress to agree to and propose such additional provision.

The remarks hitherto made, have had reference principally to the future prosecution of the war. There still remains an interesting light in which the subject ought to be viewed,

The United States have already contracted debt in Europe, and in this country, for which their faith is pledged. The capital of this debt can only be discharged by degrees; but a fund for this purpose, and for paying the interest annually, on every principle of policy and justice, ought to be provided. The omission will be the deepest ingratitude and cruelty to a large number of meritorious individuals, who, in the most critical periods of the war, have adventured their fortunes in support of our independence. It would stamp the national character with indelible disgrace.

An annual provision for the purpose will be too precarious. If its continuance and application were certain, it would not afford compleat relief. With many, the regular payment of interest, by occasional grants, would suffice; but with many more it would not. These want the use of the principal itself, and they have a right to it; but since it is not in our power to pay off the principal, the next expedient is to fund the debt, and render the evidences of it negotiable.

Besides

Besides the advantage to individuals from this arrangement, the active stock of the nation would be increased by the whole amount of the domestic debt, and of course the abilities of the community to contribute to the public wants. The national credit would revive, and stand hereafter on a secure basis.

This was another object of the proposed duty.

If it be conceded that a similar fund is necessary, it can hardly be disputed that the one recommended is the most eligible. It has been already shewn that it affects all parts of the community, in proportion to their consumption, and has therefore the best pretensions to equality. It is the most agreeable tax to the people that can be imposed, because it is paid insensibly, and seems to be voluntary.

It may perhaps be imagined that it is unfavourable to commerce, but the contrary can easily be demonstrated. It has been seen that it does not diminish the profit of the merchant, and of course can be no diminution of his inducements to trade. It is too moderate in its amount to discourage the consumption of imported goods, and cannot on that account abridge the extent of importations. If it even had this effect, it would be an advantage to commerce, by lessening the proportion of our imports to our exports, and inclining the balance in favour of this country.

The principal thing to be consulted for the advancement of commerce, is to promote exports. All impediments to these, either by way of prohibition or by encreasing the prices of native commodities, decreasing by that means their sale and consumption at foreign markets, are injurious. Duties on exports have this operation. For the same reasons, taxes on possessions and the articles of

of our own growth or manufacture, whether in the form of a land-tax, excise, or any other, are more hurtful to trade than impost duties. The tendency of all such taxes is to encrease the prices of those articles which are the objects of exportation, and to enable others to under-sell us abroad. The farmer, if he pays a heavy land-tax, must endeavour to get more for the products of his farm: the mechanic and labourer, if they find the necessaries of life grow dearer by an excise, must endeavour to exact higher wages: and these causes will produce an encrease of prices within, and operate against foreign commerce.

It is not, however, to be inferred, that the whole revenue ought to be drawn from imports: all extremes are to be rejected. The chief thing to be attended to is, that the weight of the taxes fall not too heavily in the first instance upon particular parts of the community. A judicious distribution to all kinds of taxable property, is a first principle in taxation. The tendency of these observations is only to shew, that taxes on possessions, on articles of our own growth and manufacture, are more prejudicial to trade than duties on imports.

The observations which conclude the letter on which these remarks are made, naturally lead to reflections that deserve the serious attention of every member of the union. There is a happy mean between too much confidence and excessive jealousy, in which the health and prosperity of a state consist. Either extreme is a dangerous vice; the first is a temptation to men in power to arrogate more than they have a right to—the latter enervates government, prevents system in the administration, defeats the most salutary measures, breeds confusion in the state, disgusts and discontents among the people, and

and may eventually prove as fatal to liberty as the opposite temper.

It is certainly pernicious to leave any government in a situation of responsibility disproportioned to its power.

The conduct of the war is intrusted to Congress, and the public expectation turned upon them, without any competent means at their command to satisfy the important trust. After the most full and solemn deliberation, under a collective view, of all the public difficulties, they recommend a measure which appears to them the corner-stone of the public safety: they see this measure suspended for near two years—partially complied with by some of the states, rejected by one of them, and in danger on that account to be frustrated; the public embarrassments every day encreasing, the dissatisfaction of the army growing more serious, the other creditors of the public clamouring for justice; both irritated by the delay of measures for their present relief or future security, the hopes of our enemies encouraged to protract the war, the zeal of our friends depressed by an appearance of remissness and want of exertion on our part, Congress harrassed, the national character suffering, and the national safety at the mercy of events.

This state of things cannot but be extremely painful to Congress, and appear to your committee to make it their duty to be urgent to obviate the evils with which it is pregnant.

Resolved, That Congress agree to the said report.

(No. III.)

An ESTIMATE of the PRODUCE of the IMPOST on IMPORTED ARTICLES.

BEFORE the war the exports from Great-Britain to America were estimated at three and a half millions sterling, in which was included tea; but there were importations from Ireland and Scotland, as well as from Holland, not included in that estimate. It is now thought best to estimate the imports of all goods from Europe, exclusive of tea, brandy and wine, at 3,500,000l. sterling, at 4/6 per dollar, is 15,555,554 dollars, impost of five per cent, *ad valorem*,

777,773

On 2,000,000 gallons rum and other spi-			
rits, 3-90ths per gallon,		66,666	60 90
100,000 ditto Madeira wine,	12	13,333	30
600,000 do. other wine,	6	40,000	
300,000 lb. Bohea tea,	6	20,000	
25,000 do. other teas,	24	6,666	
75,000 cwt. sugar (including loaf)	56	46,666	
200,000 lb. coffee and cocoa,	1	2,222	
2,000,000 gallons molasses,	1	22,223	

995,550

Deduct for Collection, about 8 per cent. 79,594

Net Revenue upon this Estimate

915,956

There are no precise data from which this computation could be made with any degree of certainty. The number of inhabitants has governed in part, and the imports of particular articles into the port of Philadelphia have been attended to.

The

The exactitude of the computation is of the less consequence, as the act of the 16th of December, 1782, provides, that if the revenue shall at any time exceed the annual interest, the residue shall form a sinking-fund for the discharge of the principal; and if it shall be found insufficient, the states will be called upon to enlarge their grants of revenue.

(No. IV.)

EXTRACT of a LETTER from the Honourable B. FRANKLIN to the SUPERINTENDANT of FINANCE, dated Passy, December 23, 1782.

“FRIDAY last order was given to furnish me with six hundred thousand livres immediately, and I was answered by M. de Vergennes, “that the rest of the six millions should be paid quarterly in the course of the year 1783.”

“I pressed hard for the whole sum demanded, but was told “it was impossible.”

“Our people certainly ought to do more for themselves. It is absurd the pretending to be lovers of liberty while they grudge paying for the defence of it. It is said here, that an impost of five per cent. on all goods imported, though a most reasonable proposition, had not been agreed to by all the states, and was therefore frustrated; and that your newspapers acquaint the world with this, with the non-payment of taxes by the people, and with the non-payment of interest to the creditors of the public.

“ The knowledge of these things have hurt our credit and the loan in Holland, and would prevent our getting any thing here but from Government. The foundation for credit abroad should be laid at home ; and certain funds should be prepared and established beforehand, for the regular payment at least of the interest.”

A LETTER from the HONOURABLE the MINISTER of FRANCE, to the SUPERINTENDANT of FINANCE.

Philadelphia, March 15, 1783.

S I R,

I HAVE the satisfaction to inform you, that his majesty procures for the United States a loan of six millions, to be employed in the war department during the course of the current year. While I announce to you this new mark of the king's friendship for the United States, I must go into some details which relate to your operations, and which will inform you of the motives which have induced his majesty to make a new effort in favour of his allies.

During the last year, Sir, I rendered an account to his majesty's ministers of the order which appeared to me to be introduced into your department, of the re-establishment of public credit, and of the œconomy which accompanied your operations. I added, that I considered the establishment of a general revenue for paying the interest and gradual redemption of the principal of the public debt, as extremely probable. The delays and difficulties of communication would not permit me to wait until that operation was completed by the different legislatures,

tures, before I declared the wants of the United States; and therefore I undertook to write to the Count de Vergennes, that the disposition of the people to fulfil the engagements taken and to be taken by Congress, seemed to me sufficiently favourable to determine his majesty to lend for the year, new succour to the United States, if the situation of his finances would permit. These assurances obtained the loan of six millions; but the event has proved that I was deceived in the hopes which I thought myself enabled to give my court; and the affairs of your finances, far from being bettered since the month of September, the period at which my letters on this subject were written, have on the contrary gone backward; so that I perceive no certainty of the reimbursement of the sums formerly lent, or of those which now are so. Thus, Sir, my hasty assurances have induced his majesty to make that advance, and in the moment when I am informed of it, I am under the disagreeable necessity of informing his minister that the hopes I had given are vanished, and that my assurances were without foundation. I will say nothing of the personal embarrassment which I am reduced to by these circumstances; but I will take the liberty to observe, that the best remedy in the present conjuncture is, to take as soon as possible those measures which were not taken when I announced them.

The Count de Vergennes informs me, Sir, that the six millions are lent to the United States in the same manner and under the same conditions with the sum which was lent last year; that is to say, that it shall be paid monthly, at the rate of five hundred thousand livres per month. But as it appears from what you did me the honour to write on a former occasion, that you had anticipated a part
of

of this subsidy, I must pray you to consider, that the first months of this year will have been employed in payment of those anticipations, and that it will be proper so to combine your drafts, as that they shall not be presented but at the monthly periods in which the funds are to be provided.

I have had the honour to inform you, Sir, that this money is lent to the United States to enable them to carry on the war. The wisdom of Congress will determine according to circumstances, on the manner of effecting that important object, and of compelling the enemy by joint efforts to conclude a solid and permanent peace.

It remains for me to inform you, Sir, that the king was unable to make this last effort without extreme difficulty. I have had the honour to communicate those which oppose considerable loans. They are so great, that I am commanded to inform you, in the most positive terms, that it will be impossible for the king, in any case whatever, to obtain new advances for Congress for the next year. As to the resources which you may seek elsewhere than in France, the details contained in those letters which I had the honour to read to you, will not permit a hope of success until the United States shall have established a permanent public revenue; and the delay and repugnance with which they proceed in that business being known in Europe, the disposition to lend money to Congress ceases. Lenders place their money elsewhere: those speculations which would have been directed towards the United States take a different turn, and it will be extremely difficult to bring them back.

I abstain from repeating here the other parts of the Count de Vergennes' dispatches, which I had the honour to communicate, because the truths they

they contain are well known to you, and because they may all be reduced to this single position, that *without a speedy establishment of solid general revenue, and an exact performance of the engagements which Congress have made, you must renounce the expectation of loans in Europe.*

I am ordered also, Sir, to inform Congress, that my court expect they will have taken final and satisfactory measures to secure payment of the interest of the debt contracted with his majesty by the United States; but I content myself with communicating this circumstance to you; and before announcing it directly to Congress, I will wait till their present embarrassments shall be diminished.

From these details, Sir, you will be able to judge of the impossibility of negotiating bills upon your plenipotentiaries beyond the funds which remain free from the six millions lent this year. It is very clear that such bills will not be paid by us; and it is from perfect confidence in your regularity upon that subject, that I shall assure the Count de Vergennes, he may be certain no demand will be made on him beyond the sums already granted.

I have the honour to be, &c.

(No. V.)

The UNITED STATES in CONGRESS
ASSEMBLED,

To ALL who shall see these PRESENTS,

Send GREETING.

WHEREAS Benjamin Franklin, our minister plenipotentiary at the court of Versailles, in pursuance of the powers in him vested, did on the sixteenth day of July, in the year of our Lord one thousand seven hundred and eighty-two, with Charles Gravier de Vergennes, &c. counsellor of the king in all his councils, commander of his orders, minister and secretary of state, &c. vested with full powers of his most Christian Majesty for the purpose, enter into, conclude and sign, a contract between his most Christian Majesty and the United States of North-America, in the words following, to wit,

A CONTRACT between the KING and the THIRTEEN UNITED STATES of NORTH AMERICA, entered into by the Count de VERGENNES and Mr. FRANKLIN, 16th July, 1782.

THE king having been pleased to attend to the requests made to him in the name and on behalf of the United Provinces of North America, for assistance in the war and invasion under which they had for several years groaned; and his majesty, after entering into a treaty of amity and commerce with
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the said confederated provinces on the 6th of February, 1778, having had the goodness to support them, not only with his forces by land and sea, but also with advances of money, as abundant as they were effectual, in the critical situation to which their affairs were reduced : It has been judged proper and necessary to state exactly the amount of those advances, the conditions on which the king made them, the periods at which the Congress of the United States have engaged to repay them to his majesty's royal treasury, and in fine, to state this matter in such a way as for the future to prevent all difficulties capable of interrupting the good harmony which his majesty is resolved to maintain and preserve between him and the said United States. For executing so laudable a purpose, and with a view to strengthen the bands of amity and commerce which subsist between his majesty and the said United States : we Charles Gravier de Vergennes, &c. counsellor of the king in all his councils, commander of his orders, minister and secretary of state, and of his commands and finances, vested with full powers of his majesty to us given for this purpose : and we, Benjamin Franklin, minister plenipotentiary of the United States of North America, in like manner vested with full powers of the Congress of the said states for the present purpose ; after duly communicating our respective powers, have agreed to the following articles :

ARTICLE I.

It is agreed and certified, that the sums advanced by his majesty to the Congress of the United States, under the title of a loan, in the years 1778, 1779, 1780, 1781, and the present 1782, amount to the

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sum

sum of eighteen million of livres, money of France, according to the following twenty-one receipts of the abovementioned under-written minister of Congress, given in virtue of his full powers, to wit,

1	28 February, 1778,	-	750,000	
2	19 May, - - - -	-	750,000	
3	3 August, - - - -	-	750,000	
4	1 November, - - - -	-	750,000	
				<u>3,000,000</u>
5	10 June, 1779, - - -	-	250,000	
6	16 September, - - -	-	250,000	
7	4 October, - - - -	-	250,000	
8	21 December, - - - -	-	250,000	
				<u>1,000,000</u>
9	29 February, 1780,	-	750,000	
10	23 May, - - - - -	-	750,000	
11	21 June, - - - - -	-	750,000	
12	5 October, - - - - -	-	750,000	
13	27 November, - - -	-	1,000,000	
				<u>4,000,000</u>
14	15 February, 1781,	-	750,000	
15	15 May, - - - - -	-	750,000	
16	15 August, - - - - -	-	750,000	
17	1 August, - - - - -	-	1,000,000	
18	15 November, - - -	-	750,000	
				<u>4,000,000</u>
19	10 April, 1782, - -	-	1,500,000	
20	1 July, - - - - -	-	1,500,000	
21	5 of the same month,	-	3,000,000	
				<u>6,000,000</u>

Amounting in the whole to eighteen millions, viz.

18,000,000

By which receipts the said minister has promised in the name of Congress, and in behalf of the Thirteen

teen United States, to cause to be paid and reimbursed to the royal treasury of his majesty, on the 1st of January, 1788, at the house of his grand banker at Paris, the said sum of eighteen millions money of France; with interest at five per cent. per annum.

ARTICLE II.

Considering that the payment of so large a capital at the one stipulated period the first of January 1788, may greatly injure the finances of the Congress of the United States, and it may perhaps be even impracticable on that footing; his majesty has been pleased, for that reason, to recede in that respect from the tenor of the receipts which the minister of Congress has given for the eighteen million livres tournois, mentioned in the foregoing article, and has consented that the payment of the capital, in ready money at the royal treasury, be in twelve equal payments of 1,500.000 livres each, and in twelve years only, to commence from the third year after a peace.

ARTICLE III.

Although the receipts of the minister of the Congress of the United States specify, that the eighteen million of livres above mentioned, are to be paid at the royal treasury, with interest at five per cent. per annum; his majesty being willing to give the said United States a new proof of his affection and friendship, has been pleased to make a present of, and to forgive the whole arrears of interest to this day, and from thence to the day of the date of the treaty of peace; a favour which the minister of the Congress of the United States acknowledges to flow from the

pure bounty of the king, and which he accepts in the name of the said United States with profound and lively acknowledgements.

A R T I C L E I V .

The payment of the said eighteen millions of livres tournois, shall be in ready money at the royal treasury of his majesty at Paris, in twelve equal parts, and at the terms stipulated in the above second article. The interest of the said sum at five per cent. per annum shall commence with the date of the treaty of peace, and shall be paid at every period of the partial payments of the capital, and shall diminish in proportion with the payments; the Congress of the said United States being left, however, at liberty to free themselves sooner from this obligation by anticipated payments, in case the state of their finances will admit.

A R T I C L E V .

Although the loan of five millions of florins of Holland, agreed to by the States General of the United Provinces of the Netherlands, on the terms of the obligation passed on the 5th of November, 1781, between his majesty and the said States General, has been made in his majesty's name, and guaranteed by him; it is nevertheless acknowledged by these presents, that the said loan was made in reality on account and for the service of the United States of North America; and that the capital, amounting at a moderate valuation to the sum of ten millions livres tournois, has been paid to the said United States, agreeably to a receipt for the payment of the said sum, given by the undersigned minister of Congress the seventh day of June last.

A R -

ARTICLE VI.

By the convention of the said 5th of November, 1781, the king has been pleased to promise and engage to furnish and pay at the general counter of the States General of the Netherlands, the capital of the said loan, with the interest at four per cent. per ann. without any charge or deduction whatever to the lenders, so that the said capital shall be wholly repaid after the space of five years, the payments to be made in ten equal periods, the first of which to commence the sixth year from the date of the loan, and afterwards from year to year to the final payment of the said sum; but it is in like manner acknowledged by this act, that this engagement was entered into by the king, at the request of the undersigned minister of the United States, and on the promise by him made in the name of Congress, and on behalf of the Thirteen United States, to cause to be reimbursed and paid at the royal treasury of his majesty at Paris, the capital interest and cost of the said loan, according to the conditions and terms fixed by the said convention of the 5th of November, 1781.

ARTICLE VII.

It is accordingly agreed and settled, that the sum of ten million livres tournois, being by a moderate computation the principal of the loan of five millions of Holland florins abovementioned, shall be reimbursed, and paid in ready money at the royal treasury of his majesty at Paris, with the interest at four per cent. per annum, in ten equal payments of one million each, and in ten terms, the first of which shall be on the 5th of November 1787, the second, the 5th of November 1788, and so from
year

year to year till the final payment of the said sum of ten millions, the interest lessening in proportion with the partial payments of the capital. But in consequence of the king's affection for the United States, his majesty has been pleased to charge himself with the expence of commissions and bank for the said loan, of which expences his majesty has made a present to the United States; and this their under-signed minister accepts with thanks in the name of Congress, as a new proof of his majesty's generosity and friendship for the said United States.

A R T I C L E VIII.

With regard to the interest of the said loan during the five years preceding the first term of payment of the capital, as the king has engaged to pay it at the general counter of the States General of the Netherlands, at the rate of four per cent. yearly, and every year, counting from the 5th of November 1781, according to the convention of that day, the minister of Congress acknowledges that the repayment of that is due to his majesty by the United States; and he engages in the name of the said United States, to cause payment thereof to be made, at the same time and at the same rate, at the royal treasury of his majesty; the first year's interest to be paid the 5th of November next, and so yearly during the five years preceding the first term for the payment of the capital, fixed as above on the 5th of November 1787.

The high contracting parties reciprocally bind themselves to the faithful observance of this contract, the ratifications of which shall be exchanged in the space of nine months from this day, or sooner if possible.

In

In testimony whereof, we the said plenipotentiaries of His Most Christian Majesty, and of the Thirteen United States of North America, in virtue of our respective powers, have signed these presents, and thereunto fixed the seal of our arms.

Done at Versailles, the sixteenth day of July, one thousand seven hundred and eighty-two.

GRAVIER DE VERGENNES, (L. S.)
B. FRANKLIN, (L. S.)

NOW KNOW YE, That we the said United States in Congress assembled, impressed with a most lively sense of the generosity and affection manifested by His Most Christian Majesty in the above contract, have ratified and confirmed, and by these presents do ratify and confirm the said contract, and every article and clause thereof. And we do hereby empower our minister plenipotentiary at the court of Versailles to deliver this our act of ratification, in exchange for the ratification of the said contract on the part of His Most Christian Majesty.

In testimony whereof, we have caused our seal to be hereunto affixed. Witness his Excellency ELIAS BOUDINOT, President, this twenty-second day of January, one thousand seven hundred and eighty-three, and of our sovereignty and independence the seventh.

(No. VI.)

(No. VI.)

The **CONTRACT** entered into by the Honourable J. ADAMS, in behalf of the **UNITED STATES**, with Sundries, for a Loan of Five Millions of Florins.

(**TRANSLATION** from the **DUTCH**.)

Minuted on a Seal of 48 Stivers,

(Signed)

VAN HOLE, Notary.

ON the 11th day of June, in the year one thousand seven hundred and eighty-two, appeared before me, Pieter Galenus Van Hole, notary of Amsterdam, admitted by the honourable court of Holland,

The honourable John Adams, esquire, minister plenipotentiary on the part of the United States of America, by their High Mightinesses the Lords States General of the United Netherlands, &c. &c. in quality, as especially qualified and authorised by the abovementioned States of America in Congress assembled; for and in behalf of the said States of America, to raise a loan with any person or persons, states or companies, with subjoined assurance in good faith to ratify and fulfil all that shall be done in this respect by him, honourable appearer, according to authentic copy and translation of the original commission or power exhibited to me, notary, and deposited in my custody, in behalf of the joint money-lenders.

The

The honourable appearer residing in the Hague, but being now in this city.

And the honourable appearer acknowledged himself, in his aforesaid quality, and thus in the name and in behalf of the abovementioned States of America, to be duly and lawfully indebted to and in behalf of sundry persons, or money-lenders, in all a sum of one million of guilders, Dutch current money; arising from and on account of so much ready money received by him, honourable appearer, in his aforesaid quality, to his perfect satisfaction, from the said money-lenders, in consequence of the receipt hereafter mentioned, to be signed by the honourable appearer, under the authentic copies hereof, expressly and formally disavowing the excuse of untold monies.

And the honourable appearer promised, in his aforesaid quality, to repay in this city the said sum of one million of guilders, free from all costs, charges and damages, to the abovementioned money lenders, or their assigns, at the expiration of fifteen years after the 1st day of June 1782; and that in the following manner, to wit,

That the abovementioned capital shall remain fixed during the space of ten years, and that with the eleventh year, and thus on the first day of June 1793, a fifth part, or two hundred thousand guilders of the said capital of one million, shall be redeemed, and in the same manner from year to year until the 1st day of June 1797, inclusive, so that the whole capital shall be redeemed and discharged within the abovementioned space of fifteen years.

And that for said capital, at first for the whole, and afterwards for the residue, at the expiration of every year, interest shall be paid, at the rate of five per cent. in the year commencing the first day

of June 1782, and to continue until the final accomplishment, and that *on coupons* to be signed by or for account of said honourable appearer, in his aforesaid quality.

That the abovementioned redeeming shall be performed by drawing in presence of a notary and witnesses in this city, after the expiration of the first mentioned ten years, in such a manner that the Nos: of the obligations drawn shall be by times made known in the public papers.

That the payment of the interests, as also the redeeming of the respective periods, shall be made at the computing-houses of the hereafter mentioned gentlemen, directors, or at such other places within this city, as shall likewise be advertised in the public papers.

That the directors of this negotiation shall be messrs. Wilhelm et Jan Willink, Nicolaas et Jacob Van Staphorst, and de la Lande et Fynje, merchants of this city, who are by these presents thereto named and appointed by the honourable appearer, in his aforesaid quality.

The honourable appearer promising and engaging, in the names of his constituents, that the amount of the interests and of the redeemings to be made from time to time of the said capital, shall be in due time remitted to the aforesaid gentlemen directors, their heirs or successors, in good bills of exchange, American products, or in ready money, without any abatement or deduction whatsoever.

That this obligation shall never be subject to any impost or taxes already laid or in time to come to be laid in the said United States of America, even in case (which God forbid) any war, hostilities or divisions should arise between the aforesaid United States, or any of them, on the one side, and the states

states of these lands on the other, that the payment of the capital or interests of this obligation can in no wise, nor under any pretext whatsoever, be hindered or delayed.

The honourable appearer, in his aforesaid quality, promising and engaging, moreover, for and in the names of the said United States, that there shall never be made by them, or on their parts, or any of them in particular, any convention or treaty, public or private, at the making of peace or otherwise, by which the validity and accomplishment of these presents might be prejudiced, or whereby any thing contrary thereto might be stipulated, but that without any exception the contents hereof shall be maintained in full force.

The honourable appearer in his aforesaid quality likewise promises, engages and binds himself by these presents, that this engagement shall be ratified and approved as soon as possible by said United States in Congress assembled, and that authentic copy translation of said ratification, with the original, shall be deposited in custody of me, notary, to be there kept with said authentic copy translation of the commission or power of him honourable appearer, and the engrossed hereof, for the security of the money-lenders, until the abovementioned capital and interests as aforesaid shall be redeemed and paid off.

And there shall be made of this act (as the honourable appearer in his aforesaid quality consents) above and besides the abovementioned engrossed, one thousand authentic copies which shall be of the same force and value and have the same effect as the engrossed one, under every one of which copies, shall be placed a receipt of one thousand guilders Dutch current money, either on name or in blank, at the choice of the money-lenders, to be signed by him

honourable appearer, and which receipts shall be respectively numbered from No. 1 to 1000 inclusive, and countersigned by abovementioned gentlemen directors, and duly attested by me, notary, as a testimony that no more than one thousand obligations are numbered in virtue of this act. All which authentic copies, with the receipts thereunder placed, shall at the redeeming of the capital be restored by the bearers.

On failure of prompt payment as well of the capital, as of the interests at the appointed periods, the capital or residue thereof may be demanded by the gentlemen directors in behalf of the money-lenders, who shall then be interested therein; and the aforesaid principals and committents of him, honourable appearer, shall in that case be held and bound to redeem and discharge immediately in one sum the remaining capital with the interests and charges.

For the accomplishment and performance of all the above written, the honourable appearer binds in his aforesaid quality, and thus in the names and on the part of the abovementioned United States of America, the said United States of America jointly and each of them in particular, together with all their lands, chattels, revenues and products, together with imposts and taxes already laid and raised in the same, or in time to come to be laid and raised, and thus of all the United States of America jointly and of each of the same in particular for the whole.

He the honourable appearer renouncing, in the names as above, for that purpose expressly *beneficium divisionis* as likewise *de duobus vel pluribus reis debendi*, signifying a retribution of debts, and that when two or more are indebted, each of them can satisfy with the payment of their portion; the honourable appearer promising in his aforesaid quality, never to
have

have recourse to the said or to any other evasions whatsoever.

This being passed (after translation into English was made hereof, and which likewise is signed by the honourable appearer, and deposited in the custody of me the said notary) within Amsterdam aforesaid, in the presence of

GIDION VICTOR et }
CORNELIS MARCHANT, } witnesses.

(Signed) P. G. VAN HOLE, notary.

Coll:

Faithfully translated from the Dutch, Amsterdam, this 17th day of June, 1782.

JOHANNES VERGEEL L. Son,
Sworn Translator.

There are four others of the same tenor and date, numbered 2, 3, 4, 5, making in the whole five millions guilders; and each of the said contracts is ratified by Congress, and by their order endorsed as follows:

BE it remembered, that the five several contracts or engagements entered into by the honourable John Adams, esquire, minister plenipotentiary of the United States of America, to their High Mightinesses the Lords the States General of the United Netherlands, in behalf of the said United States, bearing date the eleventh day of June, in the year 1782, and purporting to be securities each of them for the payment of a million of guilders, Dutch current money, by the United States to certain money-lenders, under the negotiation of Messrs. Wilhelm and Jan Willink, Nicolaas and Jacob van Staphorst, and de la Lande and Fynje, merchants in Amsterdam, were read in Congress, approved and ratified, and

and the same are hereby ratified, and declared obligatory on the said United States.

Done in the State-House, at Philadelphia, by the United States of America, in Congress assembled, the fourteenth day of September, in the year of our Lord 1782, and in the seventh year of our independence.

JOHN HANSON, President.

(No. VII.)

To the UNITED STATES in CONGRESS
Assembled,

The ADDRESS and PETITION of the OFFICERS
of the ARMY of the UNITED STATES,

HUMBLY SHEWETH,

THAT we the officers of the army of the United States, in behalf of ourselves and our brethren the soldiers, beg leave with all proper deference and respect, freely to state to Congress, the supreme power of the United States, the great distress under which we labour.

At this period of the war it is with peculiar pain we find ourselves constrained to address your august body, on matters of a pecuniary nature. We have struggled with our difficulties year after year, under the hopes that each would be the last; but we have been disappointed. We find our embarrassments thicken so fast, and have become so complex, that many of us are unable to go further. In this exigence

gence we apply to Congress for relief, as our head and sovereign.

To prove that our hardships are exceedingly disproportionate to those of any other citizens of America, let a recurrence be had to the paymaster's accounts, for four years past. If to this it should be objected, that the respective states have made settlements and given securities for the pay due, for part of that time, let the present value of those nominal obligations be ascertained by the monied men, and they will be found to be worth little indeed; and yet, trifling as they are, many have been under the sad necessity of parting with them to prevent their families from actually starving.

We complain that shadows have been offered to us, while the substance has been gleaned by others.

Our situation compels us to search for the cause of our extreme poverty. The citizens murmur at the greatness of their taxes, and are astonished that no part reaches the army. The numerous demands, which are between the first collectors and the soldiers, swallow up the whole.

Our distresses are now brought to a point. We have borne all that men can bear—our property is expended—our private resources are at an end—and our friends are wearied out and disgusted with our incessant applications. We therefore most seriously and earnestly beg, that a supply of money may be forwarded to the army as soon as possible. The uneasiness of the soldiers for want of pay, is great and dangerous; any further experiments on their patience, may have fatal effects.

The promised subsistence or ration of provisions, consisted of certain articles specified in kind and quantity. This ration, without regard, that we can conceive, to the health of the troops, has been frequently

frequently altered, as necessity or conveniency suggested, generally losing by the change some part of its substance. On an average, not more than seven or eight tenths have been issued; the retained parts were, for a short time, paid for; but the business became troublesome to those who were to execute it. For this, or some other reasons, all regard to the dues, as they respected the soldiers, has been discontinued (now and then a trifling gratuity excepted). As these dues respected the officers, they were compensated during one year and part of another, by an extra ration; as to the retained rations, the account for several years remained unsettled: there is a large balance due upon it, and a considerable sum for that of forage.

The cloathing was another part of the soldiers hire. The arrearages on that score, for the year 1777, were paid off in continental money, when the dollar was worth about four-pence; the arrearages for the following years are unliquidated, and we apprehend scarcely thought of, but by the army. Whenever there has been a real want of means, any defect in system, or neglect in execution, in the departments of the army, we have invariably been the sufferers, by hunger and nakedness, and by languishing in an hospital.

We beg leave to urge an immediate adjustment of all dues; that as great a part as possible be paid, and the remainder put on such a footing as will restore cheerfulness to the army, revive confidence in the justice and generosity of its constituents, and contribute to the very desirable effect of re-establishing public credit.

We are grieved to find, that our brethren, who retired from service on half pay, under the resolution of Congress in 1780, are not only destitute of any
effectual

effectual provision, but are become the objects of obloquy. Their condition has a very discouraging aspect on us, who must sooner or later retire, and from every consideration of justice, gratitude, and policy, demands attention and redress.

We regard the act of Congress respecting half pay, as an honourable and just recompence for several years hard service, in which the health and fortunes of the officers have been worn down and exhausted. We see with chagrin the odious point of view in which the citizens of too many of the states endeavour to place the men entitled to it. We hope, for the honour of human nature, that there are none so hardened in the sin of ingratitude, as to deny the justice of the reward. We have reason to believe, that the objection generally is against the mode only. To prevent, therefore, any altercations and distinctions, which may tend to injure that harmony which we ardently desire may reign throughout the community, we are willing to commute the half pay pledged, for full pay, for a certain number of years, or for a sum in gross, as shall be agreed to by the committee sent with this address. And in this we pray, that the disabled officers and soldiers, with the widows and orphans of those who have expended, or may expend their lives in the service of their country, may be fully comprehended. We also beg, that some mode may be pointed out for the eventual payment of those soldiers who are the subjects of the resolution of Congress of the 15th of May, 1778.

To the representation now made, the army have not a doubt that Congress will pay all that attention which the serious nature of it requires. It would be criminal in the officers to conceal the general dissatisfaction which prevails, and is gaining

ground in the army, from the pressure of evils and injuries, which, in the course of seven long years, have made their condition, in many instances, wretched. They therefore entreat, that Congress, to convince the army and the world, that the independence of America shall not be placed on the ruin of any particular class of her citizens, will point out a mode for immediate redress.

H. KNOX, M. General,
JOHN PATERSON, B. General, }
J. GREATON, Colonel, } On the part of the
JOHN CRANE, Colonel, } Massachusetts line.
H. MAXWELL, Lieut. Colonel, }

J. HUNTINGTON, B. General, }
H. SWIFT, Colonel, } On the part of the
SAMUEL B. WEBB, Colonel, } Connecticut line.
E. HUNTINGTON, Lt. Col. }

P. CORTLANDT, Colonel, } On the part of the
New York line.

JOHN N. CUMMINGS, Lt. Col. } On the part of the
New Jersey line.

WILLIAM SCOTT, Major, } On the part of the New-
Hampshire line.

W. EUSTIS, Hospital Surgeon, } On the part of the
General Hospital.

MOSES HAZEN, Brigadier-general.

Cantonments, Hudson's River, December, 1782.

EXTRACT

(No. VIII.)

EXTRACT of a LETTER from His Excellency GENERAL WASHINGTON,
dated Head-Quarters, March 12, 1783.

“ SIR,

“ **I**T is with inexpressible concern I make the following report to your excellency:—Two days ago, anonymous papers were circulated in the army, requesting a general meeting of the officers on the next day.—A copy of one of these papers is enclosed, No. 1.

“ About the same time another anonymous paper, purporting to be an address to the officers of the army, was handed about in a clandestine manner.—A copy of this is marked, No. 2.

“ To prevent any precipitate and dangerous resolutions from being taken at this perilous moment, while the passions were all inflamed; as soon as these things came to my knowledge, the next morning, I issued the inclosed order, No. 3. And in this situation the matter now rests.

“ Since writing the foregoing, another anonymous paper has been put in circulation, a copy of which is enclosed, No. 4.”

(No. 1.)

A MEETING of the general and field officers is requested at the public building, on Tuesday next, at 11 o'clock. A commissioned officer from each company is expected, and a delegate from the medical staff. The object of this convention is to consider the late letter from our representatives in Philadelphia;

Philadelphia; and what measures (if any) should be adopted, to obtain that redress of grievances which they seem to have solicited in vain.

(No. 2.)

To the OFFICERS of the ARMY.

Gentlemen,

A FELLOW-SOLDIER, whose interest and affections bind him strongly to you, whose past sufferings have been as great, and whose future fortune may be as desperate as yours—would beg leave to address you.

Age has its claims, and rank is not without its pretensions to advise: but, though unsupported by both, he flatters himself, that the plain language of sincerity and experience will neither be unheard nor unregarded.

Like many of you, he loved private life, and left it with regret. He left it, determined to retire from the field with the necessity that called him to it, and not till then—not till the enemies of his country, the slaves of power, and the hirelings of injustice, were compelled to abandon their schemes, and acknowledge America as terrible in arms as she had been humble in remonstrance. With this object in view, he has long shared in your toils, and mingled in your dangers.—He has felt the cold hand of poverty without a murmur, and has seen the insolence of wealth without a sigh—But too much under the direction of his wishes, and sometimes weak enough to mistake desire for opinion, he has till lately—very lately believed in the justice of his country. He hoped, that as the clouds of adversity scattered, and as the sunshine of peace and better fortune broke in upon us, the coldness and severity

verity of government would relax, and that, more than justice, that gratitude would blaze forth upon those hands which had upheld her in the darkett stages of her passage from impending servitude to acknowledged independence. But faith has its limits as well as temper, and there are points beyond which neither can be stretched, without sinking into cowardice or plunging into credulity.—This, my friends, I conceive to be your situation.—Hurried to the very verge of both, another step would ruin you for ever.—To be tame and unprovoked when injuries press hard upon you, is more than weakness; but to look up for kinder usage, without one manly effort of your own, would fix your character, and shew the world how richly you deserve those chains you broke. To guard against this evil, let us take a review of the ground upon which we now stand, and from thence carry our thoughts forward for a moment, into the unexplored field of expedient.

After a pursuit of seven long years, the object for which we set out is at length brought within our reach.—Yes, my friends, that suffering courage of yours was active once—it has conducted the United States of America through a doubtful and a bloody war. It has placed her in the chair of independency, and peace returns again to bless—whom?—A country willing to redress your wrongs, cherish your worth, and reward your services; a country courting your return to private life with tears of gratitude and smiles of admiration; longing to divide with you that independency which your gallantry has given, and those riches which your wounds have preserved? Is this the case? or is it rather, a country that tramples upon your rights, disdains your cries, and insults your distresses? Have you
not,

not, more than once, suggested your wishes, and made known your wants to Congress? wants and wishes which gratitude and policy should have anticipated, rather than evaded. And have you not lately, in the meek language of entreating memorials, begged from their justice, what you would no longer expect from their favour? How have you been answered? Let the letter which you are called to consider to-morrow make reply.

If this, then, be your treatment, while the swords you wear are necessary for the defence of America, what have you to expect from peace, when your voice shall sink, and your strength dissipate by division? when those very swords, the instruments and companions of your glory, shall be taken from your sides, and no remaining mark of military distinction left, but your wants, infirmities and scars? Can you then consent to be the only sufferers by this revolution, and retiring from the field, grow old in poverty, wretchedness and contempt? Can you consent to wade through the vile mire of dependency, and owe the miserable remnant of that life to charity, which has hitherto been spent in honour?—If you can—go, —and carry with you the jest of Tories and the scorn of Whigs, —the ridicule, and, what is worse, the pity of the world. Go, starve, and be forgotten! But if your spirit should revolt at this; if you have sense enough to discover, and spirit enough to oppose tyranny under whatever garb it may assume; whether it be the plain coat of republicanism, or the splendid robe of royalty; if you have yet learned to discriminate between a people and a cause, between men and principles—awake—attend to your situation and redress yourselves. If the present moment be lost, every future effort is in vain; and your threats then, will be as empty as your intreaties now.

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I would advise you, therefore, to come to some final opinion upon what you can bear, and what you will suffer. If your determination be in any proportion to your wrongs, carry your appeal from the justice to the fears of government. Change the milk and water style of your last memorial; assume a bolder tone—decent, but lively, spirited and determined, and suspect the man who would advise to more moderation and longer forbearance. Let two or three men who can feel as well as write, be appointed to draw up your last remonstrance; for I would no longer give it the sueing, soft, unsuccessful epithet of memorial. Let it be represented in language that will neither dishonour you by its rudeness, nor betray you by its fears; what has been promised by Congress, and what has been performed;—how long and how patiently you have suffered, how little you have asked, and how much of that little has been denied. Tell them, that though you were the first, and would wish to be the last to encounter danger; though despair itself can never drive you into dishonour, it may drive you from the field; that the wound often irritated, and never healed, may at length become incurable; and that the slightest mark of indignity from Congress now, must operate like the grave, and part you for ever: that in any political event, the army has its alternative. If peace, that nothing shall separate them from your arms but death: If war, that courting the auspices, and inviting the direction of your illustrious leader, you will retire to some unsettled country, smile in your turn, and “mock when their fear cometh on.” But let it represent also, that should they comply with the request of your late memorial, it would make you more happy, and them more respectable: that while the war should continue, you would follow their stand-
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ard into the field—and when it came to an end, you would withdraw into the shade of private life, and give the world another subject of wonder and applause;—an army victorious over its enemies—victorious over itself.

(No. 3.)

GENERAL ORDERS.

Head-Quarters, March 11, 1783.

THE Commander-in-chief having heard that a general meeting of the officers of the army was proposed to be held this day at the new building in an anonymous paper which was circulated yesterday by some unknown person, conceives, although he is fully persuaded that the good sense of the officers would induce them to pay very little attention to such an irregular invitation, his duty as well as the reputation and true interest of the army requires his disapprobation of such disorderly proceedings. At the same time, he requests the general and field-officers, with one officer from each company, and a proper representation from the staff of the army, will assemble at twelve o'clock on Saturday next, at the new building, to hear the report of the committee of the army to Congress. After mature deliberation, they will devise what farther measures ought to be adopted, as most rational and best calculated to attain the just and important object in view. The senior officer in rank present will be pleased to preside, and report the result of the deliberations to the Commander-in-chief.

(No.

To the OFFICERS of the ARMY.

Gentlemen,

THE author of a late address, anxious to deserve, though he should fail to engage your esteem, and determined at every risque to unfold your duty and discharge his own, would beg leave to solicit the further indulgence of a few moments attention. Aware of the coyness with which his last letter would be received, he feels himself neither disappointed nor displeased with the caution it has met. Ye well knew that it spoke a language which, till now, had been heard only in whispers, and that it contained some sentiments which confidence itself would have breathed with distrust. But their lives have been short, and their observations imperfect indeed, who have yet to learn that alarms may be false ; that the best designs are sometimes obliged to assume the worst aspect ; and that, however synonymous surprise and disaster may be in military phrase, in moral and political meaning, they convey ideas as different as they are distinct.

Suspicion, detestable as it is in private life, is the loveliest trait of political characters. It prompts you to enquiry, bars the door against design, and opens every avenue to truth. It was the first to oppose a tyrant here, and still stands sentinel over the liberties of America. With this belief, it would illy become me to stifle the voice of this honest guardian ; a guardian who, authorised by circumstances digested into proof, has herself given birth to the address you have read, and now goes forth among you with a request to all, that it may be treated fairly ; that it may be considered before it be abused, and condemned before it be tortured ; convinced that,

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in a search after error, truth will appear, that apathy itself will grow warm in the pursuit, and though it will be the last to adopt her advice, it will be the first to act upon it.

The general orders of yesterday, which the weak may mistake for disapprobation, and the designing dare to represent as such, wears, in my opinion, a very different complexion, and carries with it a very opposite tendency. Till now, the Commander-in-chief has regarded the steps you have taken for redress with good wishes alone. His ostensible silence has authorised your meetings, and his private opinion has sanctified your claims. Had he disliked the object in view, would not the same sense of duty which forbade you from meeting on the third day of the week, have forbidden you from meeting on the seventh? Is not the same subject held up for your discussion? and has it not passed the seal of office, and taken all the solemnity of an order? This will give system to your proceedings, and stability to your resolves. It will ripen speculation into fact; and while it adds to the unanimity, it cannot possibly lessen the independency of your sentiments. It may be necessary to add upon this subject, that, from the injunction with which the general orders close, every man is at liberty to conclude, that the report to be made to head-quarters is intended for Congress. Hence will arise another motive for that energy which has been recommended: for, can you give the lie to the pathetic descriptions of your representations, and the more alarming predictions of our friends? To such as make a want of signature an objection to opinion, I reply, that it matters very little who is the author of sentiments which grow out of your feelings, and apply to your wants; that in this instance, diffidence suggested what experience enjoins;

enjoins; and that while I continue to move on the high road of argument and advice, which is open to all, I shall continue to be the sole confidant of my own secret. But, should the time come, when it shall be necessary to depart from this general line, and hold up any individual among you as an object of the resentment or contempt of the rest, I thus publicly pledge my honour as a soldier, and veracity as a man, that I will then assume a visible existence, and give my name to the army, with as little reserve as I now give my opinions.

Head-Quarters, Newburgh, March 18, 1783.

S I R,

THE result of the proceedings of the grand convention of the officers, which I have the honour of enclosing to your excellency for the inspection of Congress, will, I flatter myself, be considered as the last glorious proof of patriotism which could have been given by men who aspired to the distinction of a patriot army; and will not only confirm their claim to the justice, but will encrease their title to the gratitude of their country.

Having seen the proceedings on the part of the army terminate with perfect unanimity, and in a manner entirely consonant to my wishes; being impressed with the liveliest sentiments of affection for those who have so long, so patiently, and so cheerfully suffered and fought under my immediate direction; having, from motives of justice, duty, and gratitude, spontaneously offered myself as an advocate for their rights; and having been requested to write to your excellency, earnestly entreating the most speedy decision of Congress upon the subjects of the late address from the army to that honourable body: it now only remains for me to perform the

task I have assumed, and to intercede in their behalf, as I now do, that the sovereign power will be pleased to verify the predictions I have pronounced of, and the confidence the army have reposed in, the justice of their country.

And here I humbly conceive it is altogether unnecessary (while I am pleading the cause of an army which have done and suffered more than any other army ever did in the defence of the rights and liberties of human nature) to expatiate on their claims to the most ample compensation for their meritorious services, because they are perfectly known to the whole world, and because (although the topics are inexhaustible) enough has already been said on the subject. To prove these assertions, to evince that my sentiments have ever been uniform, and to shew what my ideas of the rewards in question have always been, I appeal to the archives of Congress, and call on those sacred deposits to witness for me. And in order that my observations and arguments in favour of a future adequate provision for the officers of the army may be brought to remembrance again, and considered in a single point of view without giving Congress the trouble of having recourse to their files, I will beg leave to transmit herewith an extract from a representation made by me to a committee of Congress, so long ago as the 29th of January 1778, and also the transcript of a letter to the president of Congress, dated near Passaic Falls, October 11, 1780.

That in the critical and perilous moment when the last mentioned communication was made, there was the utmost danger a dissolution of the army would have taken place unless measures similar to those recommended had been adopted, will not admit a doubt. That the adoption of the resolution granting half-pay for life has been attended with all the

happy

happy consequences I had foretold, so far as respected the good of the service, let the astonishing contrast between the state of the army at this instant, and at the former period, determine. And that the establishment of funds, and security of the payment of all the just demands of the army, will be the most certain means of preserving the national faith and future tranquillity of this extensive continent, is my decided opinion.

By the preceding remarks it will readily be imagined, that instead of retracting and reprehending (from farther experience and reflection) the mode of compensation so strenuously urged in the enclosures, I am more and more confirmed in the sentiment, and if in the wrong, suffer me to please myself with the grateful delusion.

For if, besides the simple payment of their wages, a farther compensation is not due to the sufferings and sacrifices of the officers, then have I been mistaken indeed. If the whole army have not merited whatever a grateful people can bestow, then have I been beguiled by prejudice, and built opinion on the basis of error. If this country should not in the event perform every thing which has been requested in the late memorial to Congress, then will my belief become vain, and the hope that has been excited void of foundation. And "if," (as has been suggested for the purpose of inflaming their passions) "the officers of the army are to be the only sufferers by this revolution; if retiring from the field they are to grow old in poverty, wretchedness and contempt—if they are to wade through the vile mire of dependency, and owe the miserable remnant of that life to charity, which has hitherto been spent in honour," then shall I have learned what ingratitude is, then shall I have realized a tale which will embitter every moment of my future life. But

But I am under no such apprehensions : a country rescued by their arms from impending ruin, will never leave unpaid the debt of gratitude.

Should any intemperate or improper warmth have mingled itself amongst the foregoing observations, I must entreat your excellency and Congress, it may be attributed to the effusion of an honest zeal in the best of causes, and that my peculiar situation may be my apology ; and I hope I need not on this momentous occasion make any new protestations of personal disinterestedness, having ever renounced for myself the idea of pecuniary reward. The consciousness of having attempted faithfully to discharge my duty, and the approbation of my country, will be a sufficient recompence for my services.

I have the honour to be, &c. &c.

GEORGE WASHINGTON.

His Excellency the President in Congress.

(No. 5.)

Cantonment, 15th March, 1783.

THE officers of the army being convened agreeably to a general order of the 11th instant, the honourable major-general Gates president, his excellency the Commander-in-chief was pleased to address the meeting as follows :

Gentlemen,

By an anonymous summons, an attempt has been made to convene you together ; how inconsistent with the rules of propriety, how unmilitary, and how subversive of all order and discipline, let the good sense of the army decide.

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In the moment of this summons, another anonymous production was sent into circulation, addressed more to the feelings and passions than to the reason and judgement of the army. The author of the piece is entitled to much credit for the goodness of his pen; and I could wish he had as much credit for the rectitude of his heart; for, as men see through different optics, and are induced, by the reflecting faculties of the mind, to use different means to attain the same end, the author of the address should have had more charity than to mark for suspicion, the man who should recommend moderation and longer forbearance, or, in other words, who should not think as he thinks, and act as he advises. But he had another plan in view, in which candour and liberality of sentiment, regard to justice and love of country, have no part; and he was right to insinuate the darkest suspicion to effect the blackest design. That the address is drawn with great art, and is designed to answer the most insidious purposes; that it is calculated to impress the mind with an idea of premeditated injustice in the sovereign power of the United States, and rouse all those resentments which must unavoidably flow from such a belief; that the secret mover of this scheme, whoever he may be, intended to take advantage of the passions, while they were warmed by the recollection of past distresses, without giving time for cool deliberative thinking, and that composure of mind which is so necessary to give dignity and stability to measures, is rendered too obvious by the mode of conducting the business, to need other proof than a reference to the proceeding.

Thus much, gentlemen, I have thought it incumbent on me to observe to you, to shew upon what
what

what principles I opposed the irregular and hasty meeting which was proposed to have been held on Tuesday last, and not because I wanted a disposition to give you every opportunity, consistent with your own honour, and the dignity of the army, to make known your grievances. If my conduct heretofore has not evinced to you, that I have been a faithful friend to the army, my declaration of it at this time would be equally unavailing and improper. But as I was among the first who embarked in the cause of our common country; as I have never left your side one moment, but when called from you on public duty; as I have been the constant companion and witness of your distresses, and not among the last to feel and acknowledge your merits; as I have ever considered my own military reputation as inseparably connected with that of the army; as my heart has ever expanded with joy when I have heard its praises, and my indignation has arisen when the mouth of detraction has been opened against it; it can scarcely be supposed, at this late stage of the war, that I am indifferent to its interests. But how are they to be promoted? The way is plain, says the anonymous addresser. "If war continues, remove into the unsettled country; there establish yourselves, and leave an ungrateful country to defend itself."—But who are they to defend? Our wives, our children, our farms and other property which we leave behind us? or, in this state of hostile separation, are we to take the two first (the latter cannot be removed), to perish in a wilderness with hunger, cold and nakedness? "If peace takes place, never sheath your swords," says he, "until you have obtained full and ample justice." This dreadful alternative of either deserting our country in the
extremest

extremest hour of her distress, or turning our arms against it, which is the apparent object, unless Congress can be compelled into instant compliance, has something so shocking in it, that humanity revolts at the idea. My God ! what can this writer have in view, by recommending such measures ? Can he be a friend to the army ? Can he be a friend to this country ? Rather is he not an insidious foe ? some emissary, perhaps, from New-York, plotting the ruin of both, by sowing the seeds of discord and separation between the civil and military powers of the continent ? And what a compliment does he pay to our understandings, when he recommends measures, in either alternative, impracticable in their nature ! But here, gentlemen, I will drop the curtain, because it would be as imprudent in me to assign my reasons for this opinion, as it would be insulting to your conception to suppose you stood in need of them. A moment's reflection will convince every dispassionate mind of the physical impossibility of carrying either proposal into execution. There might, gentlemen, be an impropriety in my taking notice, in this address to you, of an anonymous production ; but the manner in which that performance has been introduced to the army, the effect it was intended to have, together with some other circumstances, will amply justify my observations on the tendency of that writing.

With respect to the advice given by the author, to suspect the man who shall recommend moderate measures and longer forbearance, I spurn it, as every man who regards that liberty and reveres that justice for which we contend, undoubtedly must ; for, if men are to be precluded from offering their sentiments on a matter which may involve the most serious and alarming consequences that can invite

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the consideration of mankind, reason is of no use to us. The freedom of speech may be taken away, and dumb and silent we may be led, like sheep to the slaughter. I cannot in justice to my own belief, and what I have great reason to conceive is the intention of Congress, conclude this address without giving it as my decided opinion, that that honourable body entertain exalted sentiments of the services of the army, and from a full conviction of its merits and sufferings, will do it complete justice: that their endeavours to discover and establish funds for this purpose have been unwearied, and will not cease till they have succeeded, I have not a doubt.

But like all other large bodies, where there is a variety of different interests to reconcile, their determinations are slow. Why then should we distrust them? and, in consequence of that distrust, adopt measures which may cast a shade over that glory which has been so justly acquired, and tarnish the reputation of an army which is celebrated thro' all Europe for its fortitude and patriotism? And for what is this done? To bring the object we seek nearer? No, most certainly, in my opinion, it will cast it at a greater distance. For myself, and I take no merit in giving the assurance, being induced to it from principles of gratitude, veracity and justice, a grateful sense of the confidence you have ever placed in me, a recollection of the cheerful assistance and prompt obedience I have experienced from you, under every vicissitude of fortune, and the sincere affection I feel for an army I have so long had the honour to command, will oblige me to declare in this public and solemn manner, that in the attainment of compleat justice for all your toils and dangers, and in the gratification of every wish, so far as may be done consistently with the
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great duty I owe my country, and those powers we are bound to respect, you may freely command my services to the utmost extent of my abilities.

While I give you these assurances, and pledge myself in the most unequivocal manner to exert whatever ability I am possessed of in your favour, let me entreat you, gentlemen, on your part not to take any measures which, viewed in the calm light of reason, will lessen the dignity and fully the glory you have hitherto maintained.—Let me request you to rely on the plighted faith of your country, and place a full confidence in the purity of the intentions of Congress, that, previous to your dissolution as an army, they will cause all your accounts to be fairly liquidated, as directed in the resolutions which were published to you two days ago, and that they will adopt the most effectual measures in their power to render ample justice to you, for your faithful and meritorious services. And let me conjure you, in the name of our common country, as you value your own sacred honour, as you respect the rights of humanity, and as you regard the military and national character of America, to express your utmost horror and detestation of the man who wishes, under any specious pretences, to overturn the liberties of our country, and who wickedly attempts to open the flood-gates of civil discord, and deluge our rising empire in blood.

By thus determining and thus acting, you will pursue the plain and direct road to the attainment of your wishes; you will defeat the insidious designs of our enemies, who are compelled to resort from open force to secret artifice; you will give one more distinguished proof of unexampled patriotism and patient virtue, rising superior to the pressure of the most complicated sufferings; and you will, by

the dignity of your conduct, afford occasion for posterity to say, when speaking of the glorious example you have exhibited to mankind,—“ Had this day “ been wanting, the world had never seen the last “ stage of perfection to which human nature is capable of attaining.”

His excellency having withdrawn, on motion by general Knox, seconded by general Putnam,

Resolved, That the unanimous thanks of the officers of the army be presented to his excellency the Commander-in-chief, for his excellent address, and the communication he has been pleased to make to them; and that he be assured that the officers reciprocate his affectionate expressions with the greatest sincerity of which the human heart is capable.

The address from the army to Congress—the report of the committee from the army—and the resolutions of Congress of the 25th January, being read,

On a motion by general Putnam, seconded by general Hand,

Voted, That a committee be appointed immediately to draw up some resolutions expressive of the business before us, and to report in half an hour; that this committee consist of one general officer, one field officer, and one captain; and that general Knox, colonel Brooks, and captain Howard, compose the said committee.

The report of the committee being brought in, and fully considered,

Resolved unanimously, That at the commencement of the present war the officers of the American army engaged in the service of their country from the purest love and attachment to the rights and liberties of human nature, which motives still exist

exist in the highest degree; and that no circumstances of distress or danger shall induce a conduct that may tend to sully the reputation and glory which they have acquired, at the price of their blood and eight years faithful services.

Resolved unanimously, That the army continue to have an unshaken confidence in the justice of Congress and their country, and are fully convinced that the representatives of America will not disband or disperse the army until their accounts are liquidated, the balances accurately ascertained, and adequate funds established for payment; and in this arrangement the officers expect, that the half-pay, or a commutation of it, should be efficaciously comprehended.

Resolved unanimously, That his excellency the Commander-in-chief be requested to write to his excellency the president of Congress, earnestly entreating the most speedy decision of that honourable body upon the subjects of our late address, which was forwarded by a committee of the army, some of whom are waiting upon Congress for the result. In the alternative of peace or war, this event would be highly satisfactory, and would produce immediate tranquillity in the minds of the army, and prevent any further machinations of designing men to sow discord between the civil and military powers of the United States.

On motion,

Resolved unanimously, That the officers of the American army view with abhorrence, and reject with disdain, the infamous propositions contained in a late anonymous address to the officers of the army, and resent with indignation the secret attempts of some unknown persons to collect the officers

cers together, in a manner totally subversive of all discipline and good order.

Resolved unanimously, That the thanks of the officers of the army be given to the committee who presented to Congress the late address of the army, for the wisdom and prudence with which they have conducted that business; and that a copy of the proceedings of this day be transmitted by the president to major general M'Dougall; and that he be requested to continue his solicitations at Congress, until the objects of his mission are accomplished.

The meeting was then dissolved.

HORATIO GATES, Maj. Gen. President.

The following are the RESOLUTIONS referred to in the foregoing Address and Recommendations.

IN CONGRESS, SEPTEMBER 6, 1780.

CONGRESS took into consideration the report of the committee to whom were referred the instructions of the general assembly of Maryland to their delegates in Congress, respecting the articles of confederation, and the declaration therein referred to, the act of the legislature of New-York on the same subject, and the remonstrance of the general assembly of Virginia, which report was agreed to, and is in the words following :

That

That having duly considered the several matters to them submitted, they conceive it unnecessary to examine into the merits or policy of the instructions or declaration of the general assembly of Maryland, or of the remonstrance of the general assembly of Virginia, as they involve questions, a discussion of which was declined on mature consideration, when the articles of confederation were debated; nor, in the opinion of the committee, can such questions be now revived with any prospect of conciliation: that it appears more adviseable to press upon those states which can remove the embarrassments respecting the western country, a liberal surrender of a portion of their territorial claims, since they cannot be preserved entire without endangering the stability of the general confederacy; to remind them how indispensably necessary it is to establish the fœderal union on a fixed and permanent basis, and on principles acceptable to all its respective members; how essential to public credit and confidence, to the support of our army, to the vigour of our counsels and success of our measures, to our tranquillity at home, and our reputation abroad, to our present safety and our future prosperity, to our very existence as a free, sovereign and independent people: that they are fully persuaded the wisdom of the respective legislatures will lead them to a full and impartial consideration of a subject so interesting to the United States, and so necessary to the happy establishment of the fœderal union; that they are confirmed in these expectations by a review of the beforementioned act of the legislature of New-York, submitted to their consideration; that this act is expressly calculated to accelerate the fœderal alliance, by removing, as far as depends on that state, the impediment arising from the western country, and for that purpose to yield

yield up a portion of territorial claim for the general benefit : whereupon

Resolved, That copies of the several papers referred to the committee be transmitted, with a copy of the report, to the legislatures of the several states, and that it be earnestly recommended to those states, who have claims to the western country, to pass such laws, and give their delegates in Congress such powers, as may effectually remove the only obstacle to a final ratification of the articles of confederation ; and that the legislature of Maryland be earnestly requested to authorise their delegates in Congress to subscribe the said articles.

In CONGRESS, OCTOBER 10, 1780.

CONGRESS resumed the consideration of the report of the committee, on the motion of the delegates of Virginia ; and thereupon

Resolved, That the unappropriated lands that may be ceded or relinquished to the United States, by any particular states, pursuant to the recommendation of Congress, of the 6th day of September last, shall be disposed of for the common benefit of the United States, and be settled and formed into distinct republican states, which shall become members of the federal union, and have the same rights of sovereignty, freedom and independence, as the other states : that each state which shall be so formed, shall contain a suitable extent of territory, not less than one hundred, nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit : that the necessary and reasonable expences which any particular state shall have incurred, since the commencement of the present

sent war, in subduing any British posts, or in maintaining forts or garrisons, within and for the defence, or in acquiring any part of the territory that may be ceded or relinquished to the United States, shall be reimbursed.

That the said land shall be granted and settled at such times and under such regulations as shall hereafter be agreed on by the United States in Congress assembled, or any nine or more of them.

By the UNITED STATES in CONGRESS
Assembled, DECEMBER 16, 1782.

WHEREAS it is essential to justice and to the preservation of public credit, that whenever a nation is obliged by the exigencies of public affairs to contract a debt, proper funds should be established, not only for paying the annual value or interest of the same, but for discharging the principal within a reasonable period; by which a nation may avoid the evils of an excessive accumulation of debt: therefore,

Resolved, That whenever the neat produce of any funds recommended by Congress and granted by the states, for funding the debt already contracted, or for procuring future loans for the support of the war, shall exceed the sum requisite for paying the interest of the whole amount of the national debt which these states may owe at the termination of the present war, the surplus of such grants shall form a sinking fund, to be inviolably appropriated to the payment of the principal of the said debt, and shall on no account be diverted to any other purpose.

And in order that the several states may have proper information of the state of their finances, it is

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further resolved, that as soon as the public debt can be liquidated, each state be annually furnished with the amount thereof, and the interest thereon, and also of the proceeds and dispositions of the funds provided for the redemption thereof.

Resolved, That the faith of the United States be pledged for the observance of the foregoing resolution; and that if any state shall think it necessary to make it a condition of their grants, the same will be considered by Congress as consistent with their resolution of the 3d of February, 1781.

By the UNITED STATES in CONGRESS
Assembled, FEBRUARY 17, 1783.

WHEREAS by the 8th article of the confederation and perpetual union, it is agreed and declared, that all charges of war, and all other expences for the common defence or general welfare, allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to, or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint :

Resolved, That the legislature of each state be, and they are hereby required to take such measures as shall appear to them most effectual for obtaining a just and accurate account of the quantity of land in such state, granted to, or surveyed for any person, the number of buildings thereon, distinguishing dwelling-houses from other buildings, and the number of its inhabitants, distinguishing white from black : that
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the legislature of each state be, and they are hereby also required to cause the said account to be transmitted and delivered to Congress, on or before the 1st day of March, 1784; and that Congress will on the 2d day of March, 1784, or at their next sitting, thereafter, appoint a grand committee, consisting of a member present from each state, to take into their consideration the said return, any nine of whom concurring shall make a just and true estimate of the value of all the lands in each of the United States, granted to or surveyed for any person, and of the buildings and improvements thereon, and shall report such estimate to Congress, to be subject only to their approbation or rejection. That the said estimate when approved by Congress shall be a rule for adjusting all accounts between the United States and the individual states, that is, each state shall be debited for its just quota or proportion on the principal aforesaid of the money theretofore advanced or paid, and of the amount in value of the supplies furnished by all the states for the service of the United States, and credited for the money advanced and the amount in value of the supplies furnished by such state for the service of the United States: That the said estimate shall operate for a term not exceeding five years, as a rule for apportioning on the several states the sums which Congress shall from time to time deem necessary and require to be raised for supporting the public credit and contingent expences; and that the money which shall be paid from time to time by any state into the continental treasury on account of such quota or apportionment, shall be duly passed to the credit of such state, on the said account.

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